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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,567	09/16/2003	William R. Wells	IGTECH.0116P	4585
22434	7590	03/06/2006	EXAMINER	
BEYER WEAVER & THOMAS LLP			COBURN, CORBETT B	
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OAKLAND, CA 94612-0250			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/664,567	WELLS, WILLIAM R.
	Examiner	Art Unit
	Jessica J. Harrison	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 February 2005.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 2-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 2-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

This Office action is in response to the amendments filed 2/4/2005 wherein claims 2-5, 7-9 have been amended and claims 11- 19 have been added. The delay in preparation of this office action is regretted.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 5 continues to presents a question of clarity. Claim 5 recites a control device of at least one of the game devices is a player tracking controller. This is not seen disclosed and does not seem to be correct. The control device of the game device may be connected (through the network) to a player-tracking controller. This interpretation has been assumed for examination of claim 5.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,4, 6 – 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torango et al. 5,885,158 (hereinafter Tor) in view of Ishida 4,964,638 (hereinafter Ish).

The rejection contained in the prior office action is maintained and repeated hereinbelow. *The amendatory language is addressed at the end of the rejection.*

Tor discloses a progressive gaming system configured to run many progressive prizes on one central system and includes at least two gaming devices (106a, 106b) in a gaming device network (110a) which is connected through a host communication device (105a) to at least two other networks (113a, 113b). Network 113a relates to a progressive award system (claim 4). Tor illustrates and teaches the gaming network and game devices to be linked on a loped daisy chain network (5:8), but fails to elaborate as to the details of the physical links as to type of connection wire and packet transmitter/receivers. Token ring network arrangements are generally known to transmit packets, or a token, to each machine in the loop to indicate as the method of data transmission management. In looking to implement this token ring network in a casino environment, one of ordinary skill in the art would encounter Ishida's teachings. Ish discloses a networked communications arrangement of looped communications for slot machines which also represents a token ring network. Transmitting and receiving cables 10a and 10b are made of optical fiber cables, and the ends are held by first and second physical connections (4:5-10). Figure 10 of Ish shows an automatic detection in case the communication is partially interrupted. Upon this detection, the same data request messages are transmitted in a reverse direction in the

looped communication circuit. In this way, even if a cable disconnection occurs, communication with the rest of the machines may continue (8: 28- 62). Clearly this bi-directional communication ability provides advantages over a one directional loop arrangement. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the token passing ring arrangement of Tor with optical fiber cables as taught by Ish in order to provide a bi-directional communications loop in increase the integrity of the network in the event of a device or cable fault in the network. Keeping as many machines operable on a network is highly desirable in an environment where the business bottom line depends upon machine operability, and using the network suggested by Ishida clearly fulfills that need. Regarding claim 4, 6 and 7 these features are present and obvious in the combination outlined above.

*Regarding the substantive added language to claim 2, "wherein communications between said gaming devices and each of said first network...all take place over at least one single optic fiber...link", in the above combination regardless of whether communications takes place over one or two bundles of optic fiber, it takes place "over at least one" and therefore continues to meet the above language. It appears as though applicant is attempting to distinguish between the two cables illustrated in the Ishida prior art and the single cable illustrated in applicant's drawing. While such is not distinguished by the instant claims, it is felt even if such were distinguished it would remain*

*obvious to one of ordinary skill in the art at the time of the invention to further implement the above taught combination with current communications standards such as IEEE 1394 (of record). See rejections of claims 11 and 16 below.*

*Regarding the added substantive language to claim 8, the data transmitter and data receiver are necessarily present in Ishida (see 16a, 16b) and would be utilized in the combination as proposed above.*

Claims 3, 5, 12, 13, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torango et al. 5,885,158 (hereinafter Tor) in view of Ishida 4,964,638 (hereinafter Ish) as applied to claim 2 above, and further in view of Boushy 6,183,362 (hereinafter Bou). The combination of Tor and Ish fail to explicitly state further connection of the network to a player tracking system. Tor does allude to the possibility at 5:18 where he states a the controller 105 may be coupled to a casino token ring network to provide information to a plurality of [other] computers for various purposes such as ...club booth. Common meaning in the art at the time of Torango of 'club booth' encompasses player-tracking club, suggesting Tor contemplated the possibility of use with a player tracking system. Boushy has been cited for elaborating on the state of the art comparable to Tor regarding casino networks and player tracking systems. Bou discloses a system and method for implementing a customer tracking and recognition database that encompasses customers' gaming and non-gaming activity. Within a casino, a network of game machines (slots 130) are connected via token ring LAN to various other

networks including a player tracking controller/database 112 and CMS 234. This arrangement provides for personalized customer services and complementary rewards for play, which as is widely known, enhances the players experience and ultimately the casino's bottom line. It would have been obvious to one of ordinary skill in the art at the time of the invention to link the Tor in view of Ish system to a player tracking system such as that taught by Bou, in order to provide players with a player tracking club which in turn would enhances the players experience and ultimately the casino's bottom line.

*Regarding the player tracking of new claims 12, 17 and the security monitoring of claims 13, 18: these elements are taught by the Boushy reference. See element 154 of Boushy, as well as figure 12 for the security monitoring. The progressive award network is contained in Torango.*

*Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torango et al. 5,885,158 (hereinafter Tor) in view of Ishida 4,964,638 (hereinafter Ish) as applied to claim 2 above, and further in view of Boushy 6,183,362 (hereinafter Bou) as applied to claim 13 and 18 above, and further in view of Acres 6,319,125. The combination set forth above fails to teach explicitly the use of a backup power supply on the network. Acres has been cited because he explicitly teaches the well known use of backup power supplies in gaming networks. Specifically in paragraph (226) Acres teaches "A backup power circuit 86 is provided to preserve the operational state of the MCI in the event of a power failure. The backup power circuit can be any suitable*

*type of power supply such as a battery back-up circuit, but in a preferred embodiment, it is passed on a "super capacitor" circuit which is well known in the art. The backup power circuit derives charging current from the board power supply and supplies backup power to the processor 32 and RAM chip 42." With the gaming industry being highly regulated, numerous regulations exist to protect players in the event of power failure including the maintenance of game data. It would have been obvious to one of ordinary skill in the art at the time of the invention to include backup power supplies to the network such that computers having backup power would remain operation when the main power is lost in view of the explicit teaching in Acres that such is known in the gaming industry and in order to maintain game data and therefore protect players from loss of game data.*

*Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torango et al. 5,885,158 (hereinafter Tor) in view of Ishida 4,964,638 (hereinafter Ish)\*\* further in view of IEEE 1394. These new claims recited that the communications protocol comprising an optic fiber are made using IEEE 1394 protocol. The citation to 1394 is made to show the protocol was known well prior to the date of invention herein. When looking to implement Tor in view of Ish, one of ordinary skill in the art would look to save money by using off the shelf communications components if components were available at the time which met the criteria of the needs of the system. IEEE 1394 clearly meets the needs of the Tor in view of Ish system. It would have been obvious to one of*

*ordinary skill in the art at the time of the invention to implement the Tor in view of Ish system with a known optical fiber communications protocol and hardware (IEEE 1394) as an engineering expedient and for the cost benefits.*

***Response to Arguments***

Applicant's arguments filed February 4, 2005 have been fully considered but they are not persuasive. Applicant submits "claims 2 and 8 as amended each recite the element wherein communications between said gaming [machines/devices] and each of said first and second [and gaming machines] networks all take place of at least one single optic fiber..." and the prior art fails to disclose such an element of communications. Respectfully, the examiner disagrees. The combination as proposed does encompass all claimed elements as outlined above. The presence of two optical fiber cables in the prior art explicitly meets "at least one single optic fiber [cable]". [As an aside, the examiner notes that 'single optic fiber' as recited herein has been interpreted to mean one fiber bundle, as disclosed, and not that applicant has invented full duplex communication over a single strand of optical fiber – an interpretation to the claims which would give rise to both new matter and enablement questions. Rather, the examiner has interpreted the claims, as best as possible, based upon the disclosure.] Absent more specific criticism by applicant to the alleged failings of the proposed combination, the examiner remains un-persuaded as to patentability of the instant invention.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited to the record is a paper version of a presentation made to the North American Gaming Regulators Association in May 2000 by a SSO named at the time GAMMA. One of the goals of GAMMA, now known as GSA, was to standardize the links of communications within and between gaming devices and networks so that different manufactures systems can communicate and operate together as well as allow networks to communicate information. The nature of applicant's invention is similar to what GAMMA proposes as the C-link standard. Systems connectivity standards were under development, with goals of the standards discussed in the presentation. At the physical layer, Ethernet, ATM and other IP mechanisms were under consideration. A copy of IEEE 1394, or FIREWIRE, is also included to the record. The goals of GAMMA regarding connectivity appear readily met by use of the IEEE standard. It is also noted that the assignee of the instant invention is listed as a participating member of GAMMA.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica J. Harrison whose telephone number is 571-272-4449. The examiner can normally be reached on M-F during business hours.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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